

### **Drawing Amendments**

Please substitute the replacement drawing sheets of Figures 3, 4 and 5, for original Figures 3, 4 and 5.

Please insert the new drawing sheet, Figure 6 in the application.

### **REMARKS**

The applicant filed a response on Nov. 28, 2005, which the examiner indicated was not fully responsive to the prior Office Action. In particular, the Examiner asserted that the drawing requirement had not been met in full.

The undersigned attorney appreciates the discussion with the Examiner in a telephone interview on March 22, 2006. In that interview, the undersigned indicated that the amendments to the claims were not intended to shift the subject matter from a drive to a conveyor, as mentioned in the Examiner's Action. Rather, the amendments to the claims more affirmatively claimed a conveyor track drive in the preamble.

However, the discussion with the Examiner also showed the applicant the need to more distinctly identify the various components of the invention in the drawings.

It is assumed that the previous amendments to the claims, specification and drawings were not entered on the record, because the response was found to be non-responsive. For this reason, the applicant has repeated the previous amendments, and incorporated additional revisions to address the Examiner's concern.

In particular, this application has been amended by making corrections to the specification, abstract, Figures 3, 4 and 5, adding a new Figure 6 and amending claims 1 and 5. Claims 1-9 remain in the application for consideration.

The Examiner objected to the abstract of the disclosure, as containing claim style form and legalistic jargon. The abstract has been rewritten, and is believed to overcome this objection.

The Examiner objected to the disclosure because reference numeral 52 identified two different components. Page 8 of the application and Figure 4 of the drawings have been amended to correct this inconsistency. The sprocket in Figure 4 has been given new reference numeral 53. It is believed that this correction overcomes the objection.

The Examiner suggested a new drawing showing the guide plate and its associated slots, to facilitate understanding of the invention. In the most recent Action, the Examiner also suggested a new drawing of the drive itself, if needed, to describe the invention more clearly. It is believed that a new drawing, showing the existing subject matter in a more pictorial format, would greatly assist in the understanding of the path of the conveyors in the drive module, and therefore a new Figure 6 is included. It is requested that new Figure 6 be entered of record. No new matter has been entered in this additional drawing, and all components shown in the new Figure were previously shown in the original drawings and description. The Examiner's comments and suggestions were much appreciated.

In addition, although additional reference numerals have been added to the drawings, and language in the specification and/or claims has been changed, no new matter has been entered in the specification.

Claims 1-9 were rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. In particular the Examiner asserts that

the specification fails to teach how an object transfers from the first segment to the second. This rejection is respectfully traversed. It is believed that the amendments to the drawings and specification, clarifying the claimed subject matter, such that the claims are fully enabled.

In particular, the Examiner's attention is drawn to the amended description of the invention found on pages 7 and 8 of the specification. It is believed that this revised description fully and clearly describes the invention, including the transfer of the specimen carrier from one portion of the track to another. As shown in new Figure 6, the angled sidewalls 50a and 50b of slot 50 causes a specimen carrier 20 conveyed on segment 26a to slide over on to segment 26b of the conveyor. Because segments 26a and 26b are in the same drive plane P, the specimen carrier 20 easily slides from one segment to another, as it is directed by the sidewalls of the slot. This same action occurs in adjacent slot 52.

It is believed that the corrected description and drawings are now fully enabling of the subject matter of the claims. It is therefore believed that this rejection has been overcome.

Claims 1-9 were rejected under 35 USC 112, second paragraph, as being indefinite. In particular the Examiner asserts that the relationship between the tracks of lines 1 and 4 in claim 1 is unclear. In addition, the Examiner cited a typo in claim 5. Claims 1 and 5 have been amended, and it is believed that these rejections have been overcome.

In claim 1, the preamble of the claim has been amended to more clearly call for a drive apparatus, and not a track. The preamble simply calls for a drive

unit that is to be used on a conveyor track, and does not specifically recite a track. Line 4 of claim one specifically calls for a track of the type having a continuous loop conveyor. It is believed that this amendment overcomes the ambiguity cited by the Examiner.

Claim 5 has been amended to delete the letter "d" in the last line of the claim. It is believed that the cited typo has been corrected, and that this claim is now clear and definite.

A replacement set of drawings for Figures 3, 4 and 5 are enclosed. Figure 3 has been replace, to show additional reference numerals in the drawing. Figure 4 has been replace to change reference numeral "52" to "53" and to add reference numerals to the drawing. Figure 5 has only been amended to include additional reference numerals, for clarity of the description. Figure 6 has been added to clarify the path of the conveyor as it travels through the drive module 10. As noted by the reference numerals, only structure that was previously described and/or shown has been included in new figure 6, and thus, no new matter has been entered. It is requested that Figures 3, 4 and 5 be substituted for the originally filed drawings of this application, and that new Figure 6 be entered of record. Please note that the replacement and new Figures are in informal format, and will be replaced with more formal drawings upon an indication of allowance of the application.



For the reasons above, it is believed that all of the objections and rejections have been overcome. Reconsideration is respectfully requested.

Respectfully submitted,

George R. Nimmer, Reg. No. 21,004  
Attorney of Record

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

I hereby certify that the original document for application **Ser. No. 10/626,463** enclosed herewith, including a response and amendment and a set of 4 sheets of drawings, is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

MAIL STOP NON-FEE AMENDMENT  
COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

on this 10 day of April, 2006.

Mark Frederiksen